

ORIGINAL

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

**Monica Jordan and
Louis Jordan,**

Plaintiffs,

v.

Washington Mutual Bank, F.A.,

Defendant.

Civil Action Number: H02CV1465

CONSENT MOTION TO MODIFY SCHEDULING ORDER

Come now, the Defendant, Washington Mutual Bank, F.A. ("Defendant"), by and through the undersigned counsel, and herewith moves the Court for the entry of an Order in the form attached hereto, pursuant to FRCP 16(b) and L.R. 105.1 and L.R. 105.9, granting a modification to the Revised Scheduling Order previously entered in the above-captioned action.

As currently in effect, the Revised Scheduling Order requires that depositions be completed by February 27, 2003, and has set a pre-trial conference for March 18, 2003.

The parties propose and request that the date by which depositions are to be completed be changed to March 17, 2003; that the deadline for motions for summary judgment or other dispositive motions be changed from March 5, 2003 to April 4, 2003; and, that the pre-trial conference be set on April 11, 2003, or as soon thereafter as is possible at the convenience of the Court. The attached proposed Order accomplishes this.

The reason for the requested modifications to the Revised Scheduling Order is that, in spite of diligent efforts to conduct and complete all discovery, this has proven to be impossible. Plaintiffs' counsel has a previously scheduled trip for the period from February 6 through

Motion GRANTED this 10th day of February, 2003 for the reasons stated in the Court's letter to counsel.

Senior United States District Judge

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February 16, 2003, thereby making the setting of depositions during that time impossible,^{*/} and counsel for Defendant has a previously scheduled trip for the period from late on March 18 through March 30, 2003. The request for additional time is limited and only extends the time to complete depositions by slightly more than two weeks.

Finally, in addition to extensive formal discovery, the parties have had extensive voluntary exchanges of documents and information for the purpose of enhancing settlement discussions. Being able to conduct the depositions and the pre-trial conference in the time frame proposed will also permit the parties the additional time they may require to negotiate a settlement.

As noted above, Plaintiffs have consented to this Motion, and counsel believe that good cause for the foregoing has been demonstrated and that the interests of justice will be served by the granting of this Motion.

Consented to:

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Counsel for Plaintiffs

Respectfully submitted,



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Counsel for Defendant

^{*/} As of this writing, the parties need to coordinate the scheduling of six (6) expert depositions and an equal or greater number of other depositions. This cannot be accomplished between now and February 27, 2003.

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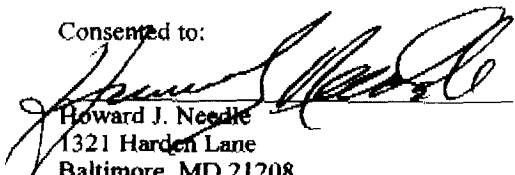
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As noted above, Plaintiffs have consented to this Motion, and counsel believe that good cause for the foregoing has been demonstrated and that the interests of justice will be served by the granting of this Motion.

Consented to:



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Counsel for Plaintiffs

Dated: February 4, 2003

Respectfully submitted,

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Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that I caused a copy of the foregoing CONSENT MOTION TO MODIFY SCHEDULING ORDER with proposed ORDER to be mailed this ____ day of February 2003, postage prepaid, to the following:

Howard J. Needle, Esquire
1321 Harden Lane
Baltimore, MD 21208

Attorney for Plaintiffs

L. Mark Winston

* As of this writing, the parties need to coordinate the scheduling of six (6) expert depositions and an equal or greater number of other depositions. This cannot be accomplished between now and February 27, 2003.

Dated: February 4, 2003

CERTIFICATE OF SERVICE

I hereby certify that I caused a copy of the foregoing CONSENT MOTION TO MODIFY SCHEDULING ORDER with proposed ORDER to be mailed this 4th day of February 2003, postage prepaid, to the following:

Howard J. Needle, Esquire
1321 Harden Lane
Baltimore, MD 21208

Attorney for Plaintiffs

A handwritten signature in cursive script, appearing to read "L. Mark Winston", is written over a horizontal line.

L. Mark Winston

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

Monica Jordan and)	
Louis Jordan,)	
Plaintiffs,)	
)	
v.)	Civil Action Number: H02CV1465
)	
Washington Mutual Bank, F.A.,)	
)	
Defendant.)	

ORDER

Upon consideration of the Consent Motion to Modify Scheduling Order filed by Defendant, to which Plaintiffs have consented, and the Court having found good cause therefor, it is by the Court this ____ day of February, 2003,

ORDERED, that the said Consent Motion to Modify Scheduling Order be, and the same hereby is, granted, and that the Scheduling Order is modified to provide for the following:

Deadline to Complete Depositions	March 17, 2003
Deadline to File Dispositive Motions	April 4, 2003
Pre-trial conference	April __, 2003 at _____.

The Honorable Alexander Harvey, II
Senior United States District Judge